IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1038-921 MIS:jb

In re patent application

No.: 09/361,619

Applicant: Sheena M. Loosmore, et al.

Title: RECOMBINANT HIGH MOLECULAR WEIGHT MAJOR OUTER MEMBRANE PROTEIN OF MORAXELLA

Filed: July 27, 1999

Date: September 27, 2000

VOLUNTARY AMENDMENT

The Commissioner of Patents
and Trademarks,
Washington, D.C. 20231,
U. S. A.

Dear Sir:

Please amend this application in the following manner:

In the Disclosure:

Add the Sequence Listing enclosed herewith to the specification following page 59 and immediately preceding the claims.

REMARKS

This Amendment directs entry of the Sequence Listing into the specification.

Respectfully submitted,

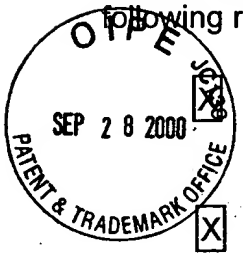
Michael I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada
(416) 595-1155
FAX No. (416) 595-1163

Application .: 09/361,619

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- [X] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [X] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [ ] 7. Other: _____

Applicant Must Provide:

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [X] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support (SIRA)
Technical Assistance.....703-287-0200
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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Please Quote Our ref. 1038-921 MIS:jb

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Writer's Ext. 239

September 27, 2000

BY COURIER

The Commissioner of Patents and
Trademarks,
Washington, D.C. 20231,
U.S.A.

BOX: Sequence Listing

Dear Sir:

Re: U.S. Application No. 09/361,619
Applicant: Sheena M. Loosmore, et al.
Filed: July 27, 1999
Title: RECOMBINANT HIGH MOLECULAR WEIGHT MAJOR OUTER MEMBRANE PROTEIN OF MORAXELLA

This Communication is in response to the Office Action dated August 1, 2000.

In response to the requirement to comply with the Sequence Rules, submitted herewith are:

1. Sequence Listing in hard copy and computer-readable form. It is hereby stated that the hard copy and the computer-readable forms of the Sequence Listing are the same and involve no new matter.

2. Voluntary Amendment directing entry of the Sequence Listing into the specification.

3. Copy of Notice.

It is submitted that the specification now complies with the Sequence Rules.

Petition is hereby made under the provisions of 37 CFR 1.136(a) for an extension of one month of the period for response to the Office Action. Our enclosed cheque includes the prescribed fee.

In the Office Action, the Examiner identified four groups of claims and required restriction to one of the groups. The applicants hereby elect, with traverse, the claims of Group I, namely claims 1 to 10.

While applicants agree with Examiner's characterizatoin of the subject matter falling into the four groups of claims, it is submitted that the groups of claims are interrelated and should be examined together in this application.

The claims of Group II are directed to proteinaceous materials encoded by the nucleic acid defined in Group I. The claims of Group III are directed to inducing protection using the proteinaceous material of Group II, and the claims of Group IV are directed to preparation of proteinaceous material of Group II using the nucleic acid of Group I.

Accordingly, it is submitted that all claims should be examined together.

Yours very truly,

Michael I. Stewart

Michael I. Stewart
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Encl.